

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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2004 NOV -3 P 2:49

STEVAN JOHNSON,

Plaintiff,

v.

CONTINENTAL AIRLINES
CORPORATION

Defendant.

Civil Action No: 04-10902 (NMG)

JOINT STATEMENT OF THE PARTIES PURSUANT TO LOCAL RULE 16(d)

Pursuant to Local Civil Rule 16.1(d), defendant, Continental Airlines Corporation ("Defendant"), and plaintiff, Stevan Johnson ("Plaintiff") (together, the "Parties"), certify that they have conferred and considered the topics contemplated by Fed. R. Civ. P. 16(b) & (c) and 26(f).

The Parties jointly state as follows:

I. Resolution by Magistrate/Mediation/ADR Program

The Parties do not agree to a trial before a Magistrate Judge, mediation or ADR at this time.

II. Pending Motions

Defendant notes that it has filed a Motion to Dismiss or, in the Alternative, for Summary Judgment seeking judgment on all claims in Plaintiff's Complaint. Defendant's Motion also seeks equitable relief preventing Plaintiff from filing further litigations against Defendant ("Motion").

III. Joint Discovery/Motion and Litigation Plan

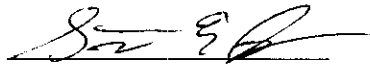
The Parties do not wish to conduct discovery in phases and, subject to this Court's ruling on Defendant's Motion, jointly propose the following discovery, motion and general litigation schedule:

- A. December 3, 2004: deadline for amendment of pleadings
- B. If necessary, discovery shall commence upon the resolution of Defendant's Motion and conclude five (5) months from the date of the Court's ruling from Defendant's Motion.
- C. Two months from the date discovery concludes, all motions under Fed. R. Civ. P. 56 or otherwise shall be filed.
- D. Two months after the resolution of all motions filed, the case shall be marked ready for trial and a final pre-trial conference scheduled.
- E. The Parties shall be prepared to discuss a prompt date for trial at the final pre-trial conference.

Respectfully submitted on this 3rd day of November, 2004.

STEVAN JOHNSON

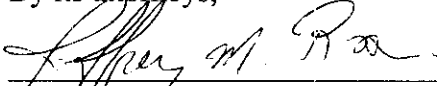
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P.O. Box 121
Boston, MA 02117

CONTINENTAL AIRLINES, INC.

By its attorneys,



David S. Rubin, BBO # 546213
Jeffrey M. Rosin, BBO #629216
Epstein, Becker & Green, P.C.
111 Huntington Avenue
Boston, MA 02199
(617) 342-4000